

Dave Heineman
Governor

JUL 19 2007

STATE OF NEBRASKA

DEPARTMENT OF ENVIRONMENTAL QUALITY
COPY Michael J. Linder

Director

Suite 400, The Atrium

1200 'N' Street

P.O. Box 98922

Lincoln, Nebraska 68509-8922

Phone (402) 471-2186

FAX (402) 471-2909

website: www.deq.state.ne.us

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

John Ortmeier
VLDJ
411 County Road "J"
Scribner, NE 68057

Appendix Item # 19.67
Date 8-1-07

RE: **Phased Construction and Operating Permit Issued**
VLDJ Concentrated Animal Feeding Operation (IIS #72664)
W ½, NW ¼, Section 22, Township 19N, Range 05E, Dodge County

Dear Mr. Ortmeier:

Enclosed is your construction and operating permit to construct livestock waste control facilities (LWCF) at the concentrated animal feeding operation listed above.

Upon completion of each phase of construction, a Certification of Completion form (enclosed) must be submitted to the Department. Once the Department receives the Certification form, a post-construction inspection will be conducted. Upon determining that the LWCF were constructed according to the approved application, the Department will notify you that the new LWCF may be operated. **Phase I was completed and inspected on December 14, 2006.**

Additional Information:

We have received your application for coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit and it is currently being reviewed. At this time, your responsibility for obtaining NPDES coverage has been fulfilled. Once the Department has completed its review, you will be contacted of the decision concerning NPDES coverage of your operation.

The permittee is responsible for complying with Title 130 and the approved application. Department staff will conduct periodic inspections. Violation of Title 130 requirements may result in fines, penalties, or removal of the livestock from the operation until compliance is met.

The Construction and Operating Permit does not remove your responsibility to comply with any county or local zoning regulations. You are responsible for preventing any runoff or discharge of livestock waste to waters of the state, including any discharge or runoff from stockpiled manure, except in accordance with the conditions of your NPDES permit.

Additional information is attached for your use. If you have any questions, please contact Derek Schreiter at (402) 471-8132 or me at (402) 471-4239.

Sincerely,

Dennis Heitmann, Supervisor
Agriculture Section
Water Quality Division



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CONSTRUCTION AND OPERATING PERMIT

VLDJ Concentrated Animal Feeding Operation (IIS No: 72664)

W ½, NW ¼, Section 22, Township 19N, Range 05E, Dodge County

VLDJ Concentrated Animal Feeding Operation is issued this phased Construction and Operating Permit, with the following terms and conditions:

- 1) This construction and operating permit covers only those facilities in the application and addendums for II phases, as approved by the Nebraska Department of Environmental Quality (Department) on January 24, 2006. The total (existing and proposed) livestock head numbers and livestock waste control facilities (LWCF) include:

Phase #	Type(s) of Livestock	Maximum Capacity (# of head)
I	Feeder Cattle	3,200
II	Feeder Cattle	300

Phase #	Type(s) of LWCF	Maximum Number	Construction Completed By
I	Debris Basins	12	Complete
	Lift Stations	2	"
	Holding Pond	1	"
II	Extension of East Basin	1	Prior to use

- 2) Construction shall be completed by the dates indicated above.
- 3) Upon completion of each phase of construction, the permittee shall file with the Department the attached Certification of Completion forms as appropriate. The LWCF shall not be operated until written authorization for that phase is received from the Department.
- 4) Permittee shall obtain approval from the Department prior to making any modifications or changes to the design or operation of the LWCF.
- 5) Permittee shall allow the Department access, at any reasonable time, to the operation, livestock waste control facilities, groundwater monitoring wells, and any records required under Title 130, "Livestock Waste Control Regulations," and this permit.
- 6) The operation and LWCF shall be operated in compliance with the approved application, this permit, Title 130 regulations, and the laws of the State of Nebraska.
- 7) This permit may be revoked, modified, or suspended as provided for in Title 130 regulations.
- 8) If construction has not begun within 2 years after this Construction and Operating Permit is issued, the permittee shall notify the Department 30 days before starting construction.



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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Ortmeier
VLDJ
411 County Road "J"
Scribner, NE 68057

Re: **NPDES General Permit for Open Lot Livestock Operations**
Application Number NEG010219
VLDJ Concentrated Animal Feeding Operation (IIS #72664)
W 1/2, NW 1/4, Section 22, Township 19N, Range 05E, Dodge County

Dear Mr. Ortmeier:

You hereby are issued coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Open Lot Livestock Operations (NEG010000). A copy of the General Permit and a copy of your request for coverage are enclosed for your records. This General Permit will expire on March 31, 2008, but may be modified or reissued prior to that date to reflect regulatory changes. You will be informed of any changes to the General Permit.

Our records indicate that your operation is constructing livestock waste control facilities (LWCF) in a phased approach. Only those phases of the LWCF that have been completed are eligible for this general permit. As the remaining phase is completed, coverage under this NPDES General Permit will be upgraded to reflect coverage for the additional phase.

The Nebraska Department of Environmental Quality (Department) received the completed "Certification of Completion" form for Phase I, in accordance with the February 16, 2006 Construction Approval issued by the Department.

On December 14, 2006 NDEQ Program Specialist, Derek Schreiter, conducted a post-construction inspection of the livestock waste control facilities. Copies of the certification form and inspection report are being returned for your records.

This NPDES General Permit coverage is for a maximum of:

LWCFs: *(Indicates the type and number of each type of livestock waste control facility)*

Type of LWCF	No. Each Type
Debris Basins	12
Lift Stations	2
Holding Pond	1



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P
KREIKEMEIER ENGINEERING SERVICES, LLC

900 NORTH 162 STREET
LINCOLN, NE 68527-9423
402-489-0965
CELL 402-890-2440

July 9, 2007

RECEIVED

JUL 09 2007

Terry A. McCarl, P.E.
NDEQ Suite 400, The Atrium
1200 N Street
PO Box 98922
Lincoln, NE 68509-8922

Nebraska Department of
Environmental Quality
By: 

RE: Scribner, Nebraska
VLDJ Livestock Operation
NW 1/4, NW 1/4, Section 22, Township 19N, Range 05E, Dodge County

Dear Mr. McCarl,

It has been requested, via phone, that prior to issuance of the NPDES permit for the above listed project, the head count for the phased construction be listed.

The proposed head count is relative to the acres of production area. The total head count for the entire facility upon completion of phase II shall be 3500 head of cattle. Phase I construction is completed and the production area has the capability of handling 3200 head of cattle. With additional 3.3 acres of production area added in Phase II construction, an additional 300 head of cattle will be added to the total capacity.

Again:

Phase I	3200 head cattle
Phase II	300 head of cattle
Total count upon completion	3500 head of cattle

The NPDES permit shall be noted as such.

Please call with any comments or questions.

Thank you,



Chris H. Kreikemeier, P.E.
Kreikemeier Engineering, LLC

cc: VLDJ
file



Addendum to application
received 11/8/05



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72664
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KREIKEMEIER ENGINEERING SERVICES, LLC

900 NORTH 162 STREET
LINCOLN, NE 68527-9423
402-489-0965
CELL 402-890-2440

February 21, 2007

RECEIVED

FEB 23 2007

Terry A. McCarl, P.E.
NDEQ Suite 400, The Atrium
1200 N Street
PO Box 98922
Lincoln, NE 68509-8922

Nebraska Department of
Environmental Quality
By: AK

RE: Scribner, Nebraska
VLDJ Livestock Operation
NW ¼, NW ¼, Section 22, Township 19N, Range 05E, Dodge County

Dear Mr. McCarl,

The NDEQ has requested a clarification on the construction of the LWCF at the site listed above. The construction drawings state that there are 45.4 total acres of run off draining into the holding pond. The calculation sheet utilized 48 acres for the sizing of the holding pond. This submittal corrects that difference and incorporates the as built dimensions.

Attached are the revised as built size calculations sheets for the holding pond. It utilizes the acres shown on the original construction documents, 45.4 acres. The holding pond final dimensions were 525 x 175 floor dimensions and a depth of 17 feet. The overall capacity to the top of dike was 2,401,777 cu ft and constructed to 2,313,420 cu ft. (96.5% of original design). The normal operating storage capacity was not jeopardized.

The owner would also prefer to keep the construction permit open, allowing the south basin to be fully developed over the next two years. The west part of the south basin area run off is currently being collected with the sediment basin located east of the holding pond. The 3.3 acres on the east side of the crest of the hill will be utilized for row crop acres. It is this area that the owners may develop over the 2nd phase of this project. The remaining 42.1 acres of the total 45.4 acres of production area is currently being collected and the run off drained or pumped to the holding pond.

No cattle shall be place on the 3.3 acres until an inspection by Kreikemeier Engineering and approval by the NDEQ. Attached is a drawing showing the 3.3 acres of the south basin area to be developed during phase 2.

Please call with any comments or questions.

Thank you,



Chris H. Kreikemeier, P.E.
Kreikemeier Engineering, LLC

cc: VLDJ
file



Addendum to application
received 11/8/05



Holding Pond (Animal Waste)

Owner/Operator VLDJ
County Dodge
Field Office Dodge County
Designed By: _____
Checked By: _____

Date 01/01/07
Natural Resources District Elkhorn
Legal Description: NW1/4 NW1/4 SEC 22 TN 19N R05E

Approved By: _____

25-Year, 24-Hour Rainfall/Runoff Storage

	DA	25-yr 24-hr Runoff	
	Acres	Depth (in.)	Vol. (ac.-in.)
Paved Lots			
Unpaved Lots	45.0	4.0	180.00
Other Drainage			
Total	45.0		180.00

Required Storage Period (RSP) 240 days
Storage Months N,D,J,F,M,A,M,J

25-yr 24-hr Rainfall: 5.2 in.
Total Normal Rainfall for Storage Period: 16.6 in.
Total Normal Evaporation for Storage Period: 17.6 in.
If rainfall & evap. are not considered, enter "0".

Manure/Bedding Storage Requirements (Confined Systems Only)

Type of Animals	Number of Animals	Average Weight (lbs)	Animal Units (AU)	Volume of Waste Produced (cf/d/au)	Daily Manure Volume (cf/day)
Beef	3500	850	2975.0		
Totals			2975.0		

Daily Flush and Wash Water (DFWW) added to system (if appl.) = 0.3 gal/day/AU
gpd x 0.1337 x AU = 119.3 cu. ft./day
Portion of Daily Manure Volume that's liquid (AWMFH Chap. 4) = _____ %
Daily Manure Liquid Volume (DMLV) = DMV x Liquid Portion(%) = _____ cu. ft./day
Bedding Volume per AU = _____ cu. ft./day/AU
Bedding Volume (BV) = "Bedding Vol. Per AU" x AU = _____ cu. ft./day

Total Liquid Waste Storage Required
RSP x (DMLV+DFWW) = 28,632.0 cu. ft.

Note: If system is entirely an open-lot system, the assumption can be made that manure delivery volume to a sediment basin/pond will be captured in the variations in storm runoff volumes and eroded solids delivery. The inventory above should then be blank, as a confinement is not applicable. Attach NE-ENG-82 forms as documentation of animal inventories.

Solid Storage Requirements

Will a sediment basin be used in this facility? Y (Y/N)
(If "Y", minimal solid storage is required in the pond)

If above is "N", then will manure be transferred or scraped directly into the pond? _____ (Y/N)
(If "Y", then storage of total solids is required in the pond)

Lot Solids Production (LS) =
Lot DA x 0.5 in x 3630 = 81,675.0 cu. ft.

Portion of Confinement Total Manure Volume that is considered solid = _____
(From AWMFH Chapt. 4)

Confinement Solid Manure/Bedding Vol. (CSMV) =
(DMV x Solid Portion(%) + BV) x RSP = _____ cu. ft.

Portion of solids that enter pond (%) = 10%

Portion of residual volume in pond that cannot be removed by pumping (%) = 20%

Residual solids will be removed from pond every 20 yrs

Residual Solid volume required in Pond =
(CSMV + LS) x Enter% x Unpumped% x Removal period = 32,670.0 cu. ft.

Normal Rainfall/Runoff Storage Requirements

	Area (ac)	Runoff During RSP (in)	Total Runoff (ac.-in)
Paved Lot			
Unpaved Lot	45.0	4.0	180.00
Contributing DA			
Total	45.0		180.00

Minimum Total Runoff for Waste Holding Pond Design (25-Yr + June) (MR) 6.5 inches
(Page NE-10c-31.3 in AWMFH)

Min. Total Runoff Vol. = MR x DA x 3630 = 1,061,775.0 cu. ft.

25-Yr Runoff Vol. = (ac-in above) x 3630 = 653,400.0 cu. ft.

Normal Runoff Vol. = (ac-in)(3630) = 653,400.0 cu. ft.

June Runoff Vol. = "Min. Total Runoff Vol." - "25-Yr Runoff Vol." = 408,375.0 cu. ft.

Runoff Storage used for design is Maximum of "Normal Runoff Vol." or "June Runoff Vol." = 653,400.0 cu. ft.

Required Storage Volume to Max. Operating Level (cu. ft.)

Liquid Waste	Normal (or June)Runoff	Solids	Total
28,632	653,400	46,530	728,562

Pond Size to Max. Operating Level

Bottom Width (ft)	Bottom Length (ft)	Depth (ft)	Side Slopes	End Slope	End Slope
525	175	11.1	3	3	4

B = 91,875.0 sq. ft (Bottom Area)

M = 119,392.5 sq. ft (Median Area)

T = 149,497.3 sq. ft (Top Area)

Volume = 1,330,043.0 cu. ft. (Where Volume of Pit = (d/6)(B+T+4M) in cu. ft.)

Pond Depth Adjustment

11.1 Depth from Pond Size to MOL (ft.)
+ 1.4 Depth of Precip. During RSP, (ft.)
- 1.5 Depth of Evap. During RSP, (ft.)
11.0 Maximum Operating Level Depth, (ft.)
+ 4.1 Depth of 25 yr - 24 hr Runoff (ft.)
+ 0.4 Depth of 25 yr - 24 hr Rainfall (ft.)
15.5 Depth from bottom of pond to Top of 25-Yr Event (ft.)
+ 1.5 Freeboard (ft.) (1 ft. minimum)
17.0 Final Settled Depth (ft.) (Include 5% settlement in design)

Note:

* Since pumping equipment can't usually pump the last 0.5' of pond depth, this pond is automatically designed for 0.5' of solids accumulation depth if the total solids volume above is less than the volume to a depth of 0.5'.

Animal Waste Facility Summary Sheet

Owner/Operator VLDJ
County Dodge
Field Office Dodge County

Date 1/1/2007
Natural Resources District Elkhorn
Completed by _____
Legal Description: /4 NW1/4 SEC 22 TN 19N F

Facility Use Period: 365 days per year
Facility Storage Period: 240 days

Required Volume Summary

Evaporation Credit Used: Yes

Required Solids Accumulation Volume = 32670.0 ft³
Required Liquid Waste Volume = 28632.0 ft³
Required Normal (or June) Runoff Volume = 653400.0 ft³
Required 25-Year, 24-Hour Runoff Volume = 653400.0 ft³
25-Year, 24-Hour Rainfall on Pond Surface (0.4 feet) = 75265.9 ft³

Required Volume to Max. Operating Level (MOL)

Solids Accum. + Liquid Waste +
Normal (or June) Runoff = 714,702.0 ft³

Evaporation credit reduces MOL depth by: 0.1 feet

Required MOL volume then becomes: 1,315,122.3 ft³

Required Volume to Maximum Storage

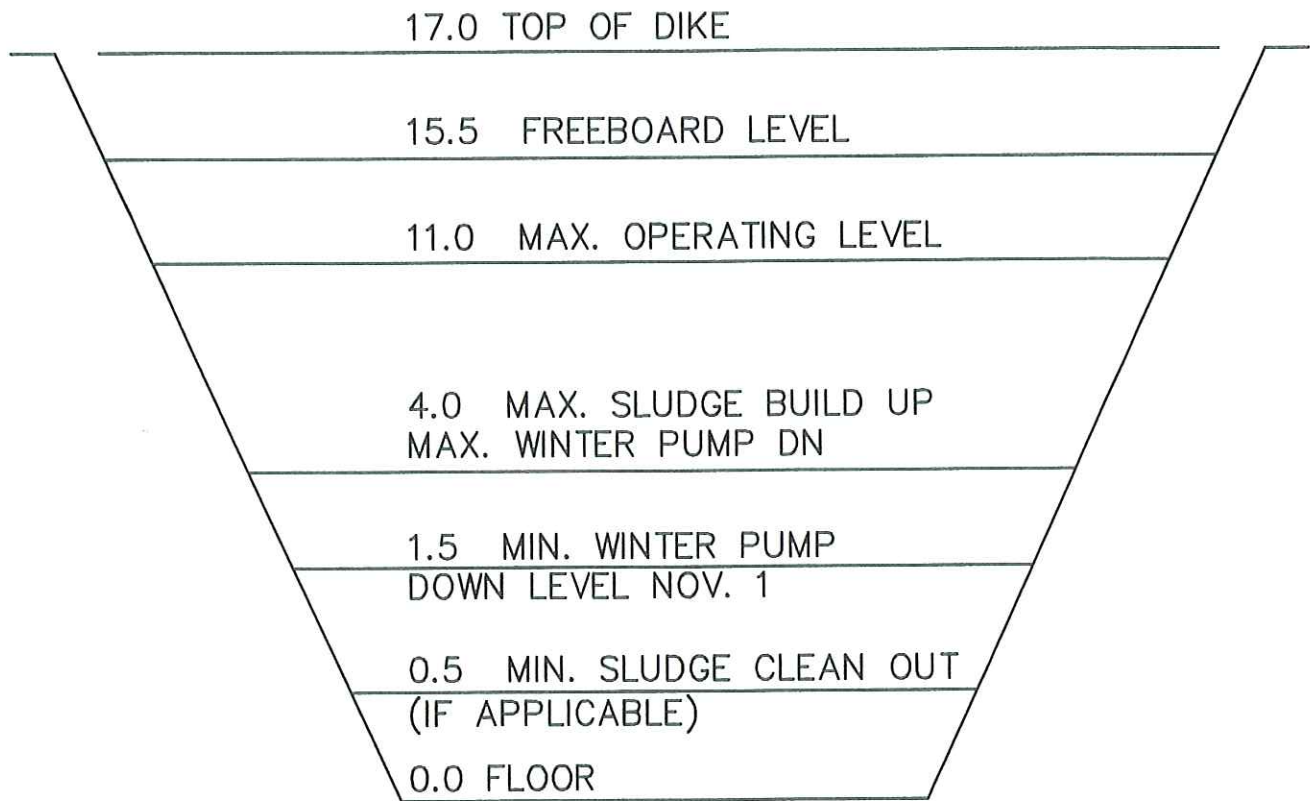
MOL Volume + 25-Year, 24-Hour Runoff/Rainfall = 2043788.1 ft³

Holding Pond Actual Volume Summary

Solids Accumulation Volume = 46529.9 ft³ to a depth of 0.5 feet
Liquid Manure + Normal (or June) Runoff Volume
+ Precipitation - Evaporation = 1268592.4 ft³ to a depth of 11.0 feet
25-Year, 24-Hour Runoff/Rainfall Volume = 728666.2 ft³ to a depth of 15.5 feet

Total Pond Volume to this depth = 2,043,788.5 ft³

Add 1.5 feet of freeboard for a total settled depth of: 17.0 feet



HOLDING POND STORAGE LEVEL SUMMARY

